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The Commonwealth of Massachusetts

Department of Public Safety Architectural Access Board

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Board Meeting Minutes – May 9, 2016 **21st Floor – Conference Room 3**

Present Board Members:

- Walter White, Chair (WW)
- Evan Bjorklund, Massachusetts Office on Disability Designee (EB)
- Raymond Glazier, Executive Office on Elder Affairs Designee (RG)
- Andrew Bedar, Member (AB)
- George Delegas, Member (GD)
- Dawn Guarriello, Member (DG)

and

- Thomas Hopkins, Executive Director (TH)
- Kate Sutton, Program Coordinator/Clerk for Proceedings (KS)

Members Not Present:

- Carol Steinberg, Member (CS)
- Jane Hardin, Member (JH)
- Diane McLeod, Vice Chair (DM)

- Meeting began at approximately 9:15 a.m.

- 1) **Discussion:** Board Member Roll Call
DM - all but CS, JH and DM present

Carol Steinberg, Member (CS) – Now Present

2) Advisory Opinion: Taunton Town Buildings Advisory

- TH - EXHIBIT – Kevin Scanlon, April 11, 2016 letter
- seeking opinion on sign height
 - the height will coincide with the ADA Guidelines in the next code edition of 521 CMR

CS - *need a variance because not in compliance with 521 CMR*

EB - *second – carries unanimously*

Jane Hardin, Member (JH) – Now Present

3) Incoming: Bridge Village Canoe Launch, 70 Elm St., Berkley (V16-129)

- TH - EXHIBIT – variance application and supplemental information
- existing public park with unpaved canoe access
 - proposing building 6' wide cement concrete walk from unpaved walk to the mean low water level
 - scheme 1 has a slope of 5% just over (\$31,000); 61 feet of run
 - proposing scheme 2 (\$11,600), 11.15%
 - path currently ends and is just an existing
 - variances for slope 22.3 and 24.3, slope will be 11.15%

GD - *grant Scheme 2 for slopes*

JH - *second – carries unanimously*

- TH - variance for no landing

GD - *grant as proposed*

AB - *second – carries unanimously*

- TH - no handrails at ramp

RG - *grant as proposed*

JH - *second – carries with CS opposed*

4) Incoming: Bascom House, Williams College, 33 Stetson Court, Williamstown (V16-137)

- TH - EXHIBIT- variance application and supplemental information
- proposed swing space during expansion and addition to science center
 - math and statistics department will temporarily relocate their offices to Bascom House for 4 years
 - first floor will be fully accessible
 - second and third floors will be for employees only, submittal of sworn affidavit
 - phone connected to all offices and spaces for parties to meet at the first floor

AB - *grant as proposed, on the condition that affidavit maintained for four years*

EB - *second – carries with CS opposed*

5) Discussion: Queset House, Ames Free Library, 51 Main St., North Easton (V13-111)

TH - EXHIBIT- James Thomas, Architect, submittal of amendment for stairs in Queset Garden, received April 25, 2016
- seeking no accessible route where the stairs are being reconstructed in historic garden
- using stairs as a gathering space

CS - is there another route to the garden?

TH - there is, but the stairs are what is before the Board

CS - *grant on the condition that there is another accessible route to the garden*

AB - *second – carries unanimously*

6) Incoming Discussion: Sawyer Building, Suffolk University, 8 Ashburton Place, Boston (V16-098)

TH - Architect of record called to clarify that only one of the two variances were addressed
- 11 5/8 inch intrusion into the space

RG - *grant as proposed*

GD - *second – carries unanimously*

7) Incoming Discussion: Liberty Tree Park, 2 Boylston St., Boston (V16-008)

TH - originally presented on February 17, 2016
- EXHIBIT – Tamar Zimmerman submitted amendment request regarding handrail location, received on May 2, 2016
- seeking to not install handrail extensions

RG - *no variance required based on exception*

JH - *second – carries unanimously*

8) Incoming: New Three-Family Dwelling, 217 D Street, South Boston (V16-133)

TH - EXHIBIT – variance application and supplemental information
- new construction
- building requires an elevator because parking garage underneath the building has to serve the first floor
- proposing to install a vertical wheelchair lift
- plans show common area roof deck as well, with no vertical access

CS - *deny*

EB - *second – carries unanimously*

9) Incoming: St. John's Parish House, 27 Devens Street, Charlestown (V16-139)

TH - seeking waiver of 2-week waiting period
- EXHIBIT- variance application and supplemental information
- donation of used stair lift, and want to install it for access to the second floor
- want to leave it in the building until an elevator can be installed
- EXHIBIT – May 6, 2016 letter from Spinetto, seeking waiver to review the case now and not wait the 2 weeks; event is May 13th; do not typically use the second floor
- two members in the parish are in their 80s and wish to use the lift to access the second floor

CS - *deny*

- *withdrawn*

TH - submitted on Friday

AB - *deny variance requested*

EB - *second – carries with CS abstaining*

10) Incoming: Fitch Home, Inc., 75 Lake Ave., Melrose (V16-135)

TH - EXHIBIT – variance application and supplemental information; Letter received on January 13, 2016 send to administrator of Fitch Home, which stated no opposition of installation of the stair lift
- seeking a variance to use a stair lift for those that don't want to use the elevator

CS - *deny*

AB - *second – carries unanimously*

CS - *staff contact building inspector about the lack of enforcement*

AB - *second – carries unanimously*

11) Incoming: Mocha Motts, 10 Circuit Ave., Oak Bluffs (V16-131 & C00-147)

TH - EXHIBIT – variance application and supplemental information
- gut renovation of a space due to a water pipe burst
- spending \$120,000, value is \$245,900; over 30%, full compliance based on 3.3.2
- variance was granted for the lack of access to the basement space in 1990

CS - *grant on the condition that there is an intercom, doorbell and menu at the sidewalk entrance*

RG - *second – carries unanimously*

TH - open risers on the stairs, 27.2

JH - *grant as proposed*

EB - *second – carries with RG opposed*

TH - nosings are not compliant, 27.3

JH - *grant as proposed*

AB - *second – carries with RG opposed*

TH - only one handrail at the stairs

JH - *grant as proposed*

AB - *second – carries unanimously*

TH - shape of handrails

JH - *grant as proposed*

AB - *second – carries unanimously*

TH - change in level at the bottom of stairs

JH - grant, on the condition that the step is made more visible, with notice at both sides of the step
AB - second – carries unanimously

Deirdre Hosler, Deputy General Counsel for Department of Public Safety (DH) – now present

12) Discussion: Beacon Hill Curb Cut project

DH - EXHIBITS -

- March 13, 2016 Environmental Notification Form submitted by Roger Alcott, P.E. of Weston & Sampson, Inc., on behalf of the City of Boston to Executive Office of Energy and Environmental Affairs (EEA);
- Supplemental Information submitted to the EEA by Katie Choe, CCM, LEED GA Chief Engineer/Director of Construction Management for the Boston Public Works Department, dated April 4, 2016; and
- April 26, 2016 submittal to EEA from City of Boston Law Department
 - court ordered City of Boston go through a Massachusetts Environmental Policy Act
 - historical and archeological review, submitted a form to MEPA
 - review is submitted to Secretary of Energy and Environmental Affairs, but no response thus far
 - latest is request from Office of Energy and Environmental Affairs and need confirmation that the work will require a variance from the AAB

TH - the Board has already adjudicated 3 cases on Beacon Hill
- also need to review the matter to determine how much work will be required

DH - Mass Historic Commission is now saying that they need to review all the work as well
- suggest that just send a general statement

CS - *the AAB will require variances for any areas where full compliance with 521 CMR cannot be achieved, and curb cuts will trigger work on the adjacent sidewalk*

RG - *second – carries unanimously*

DH left the room

13) Incoming: Tedeschi's Store, 779-783 Centre Street, Jamaica Plain (C12-082 & V16-128)

TH - EXHIBIT – variance application and supplemental information
- proposing to create sloped landing at the door with automatic door openers
- slope is 1:6

JH - grant on the buzzer or bell for assistance and have to confirm clear widths at the doors, to verify the clear opening width of the doors, and automatic door opener for both doors if not wide enough

EB - second – carries unanimously

JH - comply and verify by July 1, 2016

RG - second – carries unanimously

14) Discussion: Brindle Hall, Endicott College, 410 Hale Street, Beverly

- TH - EXHIBIT – submittal of letter from Jennifer Hawkerman, received on May 2, 2016
- working on the dormitory building during summer months
 - proposing to submit variance for review on May 23, 2016, want to allow permitting while the variances are being adjudicated
 - proposing full compliance
 - first floor will be fully accessible after first season of construction

JH - *allow the issuance of approval of the building permits on the condition that the variance application is submitted as proposed*

RG - *second – carries unanimously*

15) Incoming Discussion: Ames Schoolhouse, 450 Washington St., Dedham (V15-240)

- TH - EXHIBIT – Stephen Lapin letter received on April 20, 2016, regarding Notice of Action conditions
- condition was that the vestibule doors were equipped with automatic door openers, they want only one exterior door, which leads to the lift; as the decision reads, all vestibule doors were required automatic door openers

EB - *grant*

RG - *second – carries with CS opposed*

16) Incoming: Newton Fire Station #3, Fire Headquarters, 1164 Centre St/31 Willow St, Newton (V16-127)

- TH - EXHIBIT – variance application and supplemental information; April 26, 2016 submittal of additional variance application, with an affidavit regarding not open to the public
- spending over 30%
 - multiple variance requests
 - at construction document phase

RG - *hearing*

AB - *second – carries unanimously*

17) Discussion: UMass Memorial Medical Center, South Parking Garage, 55 Lake Avenue, Worcester (V14-353 & C15-089)

- TH - EXHIBIT – submittal from Scott Ricker (4/11/16) and Mike Kennedy (5/4/16)
- submittal of pictures of the ongoing work
 - parking lot is ready to be open
 - van companies are parking in the lots
 - in the decisions issued in June 2015, the Board accepted the proposed plans, on the condition that issue of misuse of existing accessible parking spaces are addressed (i.e. vans, ambulances, and employees), required submittal of policy for maintaining the parking available for the patients

RG - *require the submittal of the previously ordered policy submitted by May 23, 2016*

GD - *second – carries unanimously*

RG - *expedite*

JH - *second – carries unanimously*

18) Incoming: First Floor Commercial Condo, 250 West St., Boston (V16-132)

- TH - EXHIBIT – variance application and supplemental information
- owner is proposing a new accessible entrance for the space
- but code consultant also notes that the tenant work will trigger further compliance for the building owner
- seeking a variance for the existing central entrance to the building, adding a compliant new entrance to the proposed coffee shop tenant

JH - *grant the variance for the central building entrance, as proposed*

CS - *second – carries unanimously*

CS - *when the tenant is decided upon, they come back before the Board for any variances from 521 CMR*

EB - *second – carries unanimously*

19) Hearing: Sidewalks and Curb Cuts, Hollis Street/Irving Street, Concord Street/Union Avenue, Concord Street/Frederick Street, Concord Street/Howard Street, Framingham (V16-094) – Variance

- WW - called to order at 11:00 a.m.
- introduce the Board

Mark Dempsey, Town of Framingham (MD)

Ken Petraglia, BETA Group (KP)

Mike Wasielewski, BETA Group (MW)

- WW - all sworn in
- EXHIBIT 1 – AAB1-35

- KP - MassDOT project to revitalize downtown Framingham
- includes transportation improvements, landscaping, urban designs and lighting
- feel as though in compliance with returned sides, 521 CMR 21.8
- interpretation is that permanently installed street hardware, and validates the design
- project was reviewed and approved by MassDOT and Town of Framingham

- MW - Ramp #5, page 27
- concrete underneath bituminous asphalt, granite curbs and concrete planters adjacent
- brick provides visual contrast from the proposed concrete surface

- WW - what is the slope?
MW - no more than 7%, most are 3-5%
- they all vary

- WW - slope will depend on the finished code of the road
MW - yes, 8-10 feet in length
- how many ramps in this category
MW - four at this intersection and two at a similar intersection

- CS - how wide is the concrete?
MW - 5' with 6" curb and brick bands beyond that

- MD - brought attention that there was an issue with the landscaping, but no stance either way
- MW - there will be a detectable warning at the edge of the curb cut
- RG - already concrete underneath?
MW - yes, but asphalt poured over to meet the road, once the road is milled and resurfaced, the asphalt will be removed and the concrete underneath will be removed
- JH - when will the road be done?
MW - final paving will occur in August or September
- WW - bricks are hardscaping, not landscaping like grass
- issue is the brick area in between the planters
- need a handrail because of the slope, and not exempt from handrail because of the lack of “permanently installed street hardware or landscaping”
- CS - *grant as proposed for the following locations, as proposed (less than 1:12 and at least 5 feet wide): WCR 5, 6, 7, 8, 31 and 36.*
GD - *second – carries unanimously*
- MW - Photo #9, pie-shaped diversion between the two ramps
- will reconstruct the sidewalk at the opposite side, the location of the cross walk is the reason for the pie shaped corner (WCR 37 and 38)
- moving the curb cut further would lead into the adjacent driveway
KP - proposing straight crosswalks instead of slanted ones
- CS - there is a lip on the triangle portion
- KP - design the curb cuts the way people use them
CS - looks impossible to use because of the lip on the brick portion
- KP - reason that there are not flares at the inside is the need for a curve at the side as a protection
- this is added for a safety reason
- WW - left side of the cross walk, is the ramp within that line, or outside of that line
MW - that striping is going to be moved so that the ramp will be centered on the white lines
- CS - *grant as proposed, on the condition that the cross walk lines up with the curb cut, which is 5 foot wide at WCR 37 and 38*
AB - *second – carries unanimously*
- MW - proposed ramps with some raised sides and no flared sides proposed
- vertical edges along the ramp
- some locations where travel will be discouraged by the mast arm in the island
- KP - same issue with safety, and protection of pedestrians with the raised areas and no flared sides
- MW - all similar construction for WCR 17, 18, 19, 20, 23 and 24
- RG - *grant as proposed WCR 17, 18, 19, 20, 23 and 24*
AB - *second – carries unanimously*

20) Incoming: Crawford Square, 123-137 North Street, Pittsfield (V16-134)

TH - EXHIBIT – variance application and supplemental information
- secondary entrance previously used as delivery only entrance
- new wine bar proposed
- proposing to utilize the second entrance as another entrance to the wine bar and not make it accessible
- very small space, bathrooms are in the common area
- checked with plumbing board, and acceptable to have the bathrooms in the common area, on the condition that they don't have to go outside the building to access the common area bathrooms
- EXHIBIT – e-mail from Gerald Garner, Building Commissioner, on May 5, 2016 noting that all other aspects of the tenant space will comply per plan review
- EXHIBIT – May 9, 2016 e-mail from June Hailer, Pittsfield Commission on Disability, still hesitant to support the variance
- building owner is requiring that the wine bar owner has to get their own security to keep the accessible entrance open and cover the common areas from 8 to midnight
- EXHIBIT- May 5, 2016 email from Wayne Thomas from the Plumbing Board, noting that common area toilet rooms do not require someone to go outside of the building and the common area bathrooms are available at all times that the wine bar is open

CS - *grant as proposed, on the following conditions: accessible common entrance, common toilet rooms are open and available at all times that the wine bar is open; the security issue is resolved; secondary stair entrance (former service entrance) comply in full with 521 CMR 27; signage posted at the inaccessible entrance; license board in Pittsfield be made aware of the conditions of this variance*

JH - *second – carries unanimously*

21) Incoming Discussion: Offices and Laboratories, 40 Eerie Street, Cambridge (V16-011)

TH - EXHIBIT – April 26, 2016 submittal from Salvator Xenox, affidavit regarding employee-use only areas

RG - *accept require it recorded with the registry of deeds within 60 days with a copy returned to the board and the building department*

EB - *second – carries unanimously*

22) Incoming Discussion: Mercantile Retail Building, 85 Main Street, Gloucester (V16-015)

TH - EXHIBIT – submittal of drawing for van accessible space, submitted by Dan Goddenow on April 27, 2016
- van accessible space is now 8 feet with an 8-foot access aisle

RG - *accept as proposed*

CS - *second – carries unanimously*

***AB left for the day
Break for Lunch***

CS left the room

23) Hearing: Terra Brasilis, 264 Waverly Street, Framingham (C15-009)

- WW - called to order at 1 p.m.
- introduce the Board

William Joyce, Compliance Officer (WJ)

- WW - WJ sworn in
- no one present from the property

WW - Exhibit 1 – AAB1-27

- WJ - originally filed by David Correia
- 35 space parking lot with no accessible parking spaces provided
- first and second notice were sent and received by the owner
- received a fax of an e-mail from the building owner

CS now present

- WJ - summary of telephone call with owner that happened today at 11:30 a.m.
- also submittal from Mark Dempsey of Framingham Building Department which included pictures of the parking provided, but the access aisle is only 7 feet wide
- larger issue is the location of the accessible parking space
- accessible parking space appears to be at the side of the building

TH - owners have to be communicating to the Board, not going to accept the Building Departments letters as the required response to the Board, also need a response from the owner

WJ - the letter does not address the location of the parking space

DG - from an aerial photo, it appears as though the accessible parking spaces are approximately 7 spaces from the main entrance

WW - EXHIBIT 2 – photos sent to Joyce from Owner
- EXHIBIT 3 – letter from Mark Dempsey regarding his observations of the space
- EXHIBIT 4 – notes regarding conversation with owner at 11:30 a.m. where he said he was not going to attend the hearing

WJ - unsure of the van accessible space and regarding which space is the van accessible

CS - require that the property owner provide proof that the parking plan complies in full with the requirements of 521 CMR, with verification being in the form of plans and/or pictures showing that the two spaces provided comply in full with the requirements of 521 CMR 23, and are located closest to the accessible entrance; if we do not receive these submittals by May 20, 2016, a fine hearing will be scheduled.

RG - second – carries unanimously

RG - expedite

JH - second – carries unanimously

24) Incoming: Gate House at the Visitor Center, 2 Moscow Road, West Stockbridge (V16-130)

TH - EXHIBIT – variance application and supplemental information

- proposing new gate house building, visitors center and small gallery at the entrance to the park
- seeking three variances: exterior steel stairs from the roof terrace will have open risers, noncompliant handrails and noncompliant handrail shapes
- the roof terrace is accessible from one of the parks paths

CS - why build stairs if everyone can go to the roof terrace via an accessible path
 RG - *deny all variances requested, and clarify what the accessible path of travel will be and will be made of*
 CS - *second – carries unanimously*

25) Incoming: Dawes House, Smith College, 8 Bedford Terrace, Northampton (V16-138)

TH - EXHIBIT – variance application and supplemental information
 - expansion of dining spaces and kitchen at the first floor, will add an accessible and inaccessible toilet rooms
 - proposing to provide a single unisex toilet room in the same location as the inaccessible toilet rooms
 - spending \$171,647, value of the building is \$661,102
 - seeking a time variance to comply in full and to not provide an elevator until a time that the use of the second and third floor is determined
 - second and third floors will not be used yet
 - the first floor will comply with phased construction
 - would like them to reserve a space for the future installation of vertical access

DG - *grant the variance for the lack of vertical access, on the condition that no occupancy of the second or third floor; space is allocated within the first floor to provide vertical access to the upper floors in the future; and no occupancy of the second and third floors until vetted before this board*

CS - *second – carries unanimously*

26) Hearing: The Evergreens, 214 Main Street, Amherst (V15-291)

WW - called to order at 2:00 p.m.
 - introduce the Board

M. Jeffrey Bake, MCWB Architects (JB)

Jane Wald, Executive Director of Emily Dickinson Museum (JW)

WW - both sworn in
 - EXHIBIT 1 – AAB1-97

JW - museum is two historic structures, the house where Emily Dickinson was born and the house built by her father for her brother and sister-in-law
 - Evergreens was maintained as a residence into the 20th, much longer than the Dickinson home, and has changed very little since it was occupied by the Dickinson family
 - the interior is unchanged within the Evergreens building
 - been working with MCWB, a firm that specialized in historic restoration to establish a restoration plan for the two houses and the site
 - last remaining items are systems improvements, i.e. heating, cooling and fire suppression
 - proposing to provide video tours of the houses, which will also represent the second floors of the houses

- JB - stair is designed to go up to a landing with a door and then up another set of stairs
- trying to keep the house as unaltered as possible
- want people to have access to the house
- been looking at alternate means of viewing the second floor
- looking at virtual tours
- national landmark site
- WW - access to the first floor?
- JB - center entrance hall, but there is a historic back deck with a ramp to it
- JW - guest are able to get through the entire first floor, via guided tours
- AAB75, only areas that guests can see at the second floor are the two rooms at the rear (Gib's Room and Servant's Room), but do not enter the room, only look into those rooms due to historic furnishings
- WW - any costs for elevator?
JB - probably \$150,000, but the disruption would result in just closing the second floor, as opposed to putting in an elevator
- CS - when was the building built?
JW - 1856
- CS - what about plans for the installation of an elevator
JW - costs on AAB11, \$135-155,000
- CS - what is at the second floor that is open to the public?
JW - only Gib's Room and the Servant's rooms, which will be roped off, and only be able to look into those rooms, and the other second floor rooms are just used for storage
- JW - in the fall of 2016, video tours will be provided, but currently just printed descriptions of each room
- tours are guided by staff and an assistant, and the assistant is trained to provide the second floor visual pamphlets to help describe the second floor to those unable to access it
- JB - the second floor is two different levels
- the back part of the house is an 1840's section with the front half added in the 1850's
- CS - any public functions, like weddings?
JW - some public functions that meet on the first floor of the homestead, and some events on the grounds, but larger events held outside the building
- GD - no bathrooms?
JB - no, just a historic bathroom that is not usable
- GD - when was the ramp installed?
JW - 2001
- GD - clear widths at doors, pantry door is narrow, what about the sink room?
JW - both of those rooms are not entered and just viewed
- EB - where does the funding come from? Relationship with Amherst College

- JW - owned by Amherst College, and MOU with the college regarding reporting to the college
 - the college does not have any responsibility for preserving and maintaining collection, education and public outreach is all from the admission fees and shop sales (30% of operating budget); 40% of operating budget is based on fundraising; 100% fundraising for any renovation work to the building
- JH - what is the benefits to Amherst College for the ownership?
- JW - assist with payroll and minor repairs, maintenance of grounds, overhead costs are not paid for (personnel); started annual allocation for maintenance for the buildings
- JH - any separate funding available
- JW - grants
- JH - will provide narrated documentary of the building, and currently provide pamphlets regarding the second floors
- JW - at the end of this year, will provide narrated video tour
- JB - are considering virtual reality tour of the property
- RG - lack of compliant handrails make the need for vertical access more important
 - what about a three stop elevator by the ramp, outside the existing structure
 - would consider a time extension for raising the funds
- JB - the shape of the building would require a shaft at the exterior of the building, with a more substantial cost than that estimated in the submittals (that was for an interior shaft)
- CS - do students do internships at the building?
 JW - yes
 - employ Amherst College students, and do provide internships for the students at the Homesteads
- GD - need to amend variance application to request variance for the existing doors
- RG - grant the handrails as proposed*
GD - second – carries unanimously
- JH - grant the variance for the lack of vertical access to the upper floors, on the condition that there is no access allowed into the rooms at the second floor that are open for viewing, with the other rooms not open for viewing as they are used as storage, and that a video is submitted to the Board for approval, by February 1, 2017*
GD - second – carries with CS and RG opposed
- TH - need a deadline for the signage issue regarding the directional signage, directing people to the accessible entrance from the inaccessible entrance
- CS - directional signage, per the requirements of 521 CMR 25.6, by July 1, 2016, with confirmation to be sent to the Board on or before said date*
JH - second – carries unanimously

- CS - *require either an amendment to the variance regarding the doors, or provide verification that those rooms are cordoned off via the submittal of pictures, by July 1, 2016*
- JH - *second – carries unanimously*
- JH - *expedite*
- GD - *second – carries unanimously*

JH left for the day

27) Incoming: Forbes House Museum, 215 Adams Street, Milton (V16-126)

- TH - EXHIBIT – variance application and supplemental information
- 4 areas that will be corrected within the next 3 years
 - also seeking 6 outright variances
 - variance for the two existing double-leaf doors and a portable ramp to the porch

- CS - *schedule a hearing*
- GD - *second – carries unanimously*

- CS - *no further permits until the matter is resolved*
- GD - *second – carries unanimously*

28) Discussion: Community Christian School, 39 South Broad St., Westfield (V10-101)

- TH - fine hearing held on March 7, 2016, and ordered photos plans and confirmation that first floor is accessible
- EXHIBIT – May 3, 2016 submittal from Tim Sharenko, seeking an extension of the time variance for another two years for the lack of access to the upper floors
 - submittals of exhibit (3 total) with pictures, plans (not drawn by an architect)
 - at the time the application came in, it was a change in use issue for the lack of vertical access to the second floor, since the second floor had never been open to the public
 - seeking a 2 year time variance for the installation of a compliant lift, and allow the use of the second floor in the interim

- RG - *grant a 2 year time variance August 1, 2018 for the installation of a compliant vertical wheelchair lift, on the condition that stamped architectural plans (as-built and proposed) are submitted by January 15, 2017, as well as a status report due that day and every 6 months thereafter*
- EB - *second – carries unanimously*

29) Incoming: 9 Chandler Street, Newton (V16-125)

- TH - EXHIBIT – variance application and supplemental information
- advisory opinion that because the way they were configured were not official townhouses

- GD - *grant as proposed*
- RG - *second – carries with CS opposed*

30) Incoming Discussion: North Brookfield Townhouse, 185 North Main Street, North Brookfield (V16-106)

TH - no additional information submitted

RG - cannot make a decision since nothing specific has been requested and a significant request via the submittal of plans and specific variance requests by a registered architect has yet to be submitted, therefore impose a close order effective as of receipt of decision, to be posted by the Board Staff

GD - second – carries unanimously

31) Incoming: The North Star Building, 587, 585, and 581 High St, 366, 368 and 370 Washington Street, Dedham (V16-136)

TH - EXHIBIT – variance application and supplemental information
- renovation of existing space, proposing no access to the lower level public toilet rooms, but will provide a single unisex accessible toilet room at the first floor (variance for lack of vertical access (28.1) and location of accessible toilet room).

CS - grant as proposed for 28.1 and 30.2, on the condition that the unisex toilet room complies with 521 CMR 30

GD - second – carries unanimously

TH - full compliance triggered for the common areas for the owner, which triggers vertical access to the second floor of the building
- small office spaces at the second floor
- second floor office space, can use ground floor meeting location, but majority of Quirk Associates is not client based and if need to meet with a member of the public, would do so at the first floor meeting location

TH - variance for 28.1, lack of access to the second floor

RG - grant as proposed

GD - second – carries unanimously

TH - toilet room dimensions and clearances for second floor single user toilet rooms
- men's room is 71" by 81.5"

CS - grant for the lack of access at the second floor toilet rooms as proposed

GD - second – carries unanimously

EB - grant variance for the men's room door clearance at the second floor

CS - second – carries unanimously

CS - grant the overall room dimensions for the women's toilet room at the second floor

GD - second – carries unanimously

EB - grant variance for the women's room door clearance at the second floor

CS - second – carries unanimously

TH - cross slope at sloped entrance to stairwell

CS - grant the variance for the lack of access at the stairwell entrance

DG - second – carries unanimously

- TH - entrance to Blue Bunny Book Store, cross slope to entrance surface ranges from 5.6 to 6.1%
 - proposing automatic door openers at the Book Store and the Cigar Store
- CS - *grant as proposed for the installation of automatic door opener*
 DG - *second – carries unanimously*
- CS - *deny the request for two years to install the automatic door openers, and require that they are installed by September 1, 2016*
 RG - *second – carries unanimously*
- TH - 25.2, approach to the vestibule door to the stairs, there is not the 48” beyond the swing of the door to the base of the stairs
 - 3’5 ½” provided
- CS - *grant as proposed*
 EB - *second – carries unanimously*
- TH - stair handrail dimensions and mounting height (26.5”)
- RG - *deny*
 DG - *second – carries unanimously*
- TH - handrail at both sides of the main stair is 2.5 inches in width and 1 ¼ inch from the wall
- DG - *grant the dimension for the diameter of the handrail*
 RG - *second – carries unanimously*
- DG - *deny the offset; require 1.5” inches as required*
 RG - *second – carries unanimously*
- TH - seeking to not extend the handrail
- CS - *no variance required for extension based on exception language of 27.4.3c*
 RG - *second – carries unanimously*
- TH - 7.2.2, variance for countertop heights
 - accessible service counter at the bookstore is a half-inch taller than required 36”
- CS - *grant as proposed*
 GD - *second – carries unanimously*
- TH - cigar store counter is historic piece
 - maintain the countertop of 37.5-38”
- RG - *grant as proposed*
 EB - *second – carries unanimously*

32) Discussion: DeLuca’s Market, 7-17 Charles Street, Boston (V11-232)

- TH - EXHIBIT – March 29, 2016 letter from Caroline Aiello, signed by Virgil Aiello

- still functioning without approval for use of the wine cellar
- requested site visit due to completion of lift and ramp
- site visit conducted on January 20, 2016, by TH and William Joyce
- at the site visit found a number of outstanding violations (7)
- handrails are not continuous, but routes are narrow (not finalized)

CS - have the site visit report and any recent documentation sent in board packet for May 23
EB - second – carries unanimously

33) Discussion: Meeting Minutes from April 25th

KS - any changes or motion

GD - accept the meeting minutes from April 25th
DG - second – carries with CS abstaining

- End of Meeting -

Matters not reasonably anticipated 48 hours in advance of meeting

- St. John's Parish House, 27 Devens Street, Charlestown (V16-139) - variance application and supplemental information; May 6, 2016 letter from Spinetto, seeking waiver to review the case now and not wait the 2 weeks
- UMass Memorial Medical Center, South Parking Garage, 55 Lake Avenue, Worcester (V14-353 & C15-089) - submittal from Scott Ricker (4/11/16) and Mike Kennedy (5/4/16)
- North Brookfield Townhouse, 185 North Main Street, North Brookfield (V16-106)

EXHIBITS:

- Bridge Village Canoe Launch, 70 Elm St., Berkley (V16-129) - variance application and supplemental information
- Bascom House, Williams College, 33 Stetson Court, Williamstown (V16-137) - variance application and supplemental information
- New Three-Family Dwelling, 217 D Street, South Boston (V16-133) - variance application and supplemental information
- Fitch Home, Inc., 75 Lake Ave., Melrose (V16-135) - variance application and supplemental information; Letter received on January 13, 2016 send to administrator of Fitch Home, which stated no opposition of installation of the stair lift
- Mocha Motts, 10 Circuit Ave., Oak Bluffs (V16-131 & C00-147) - variance application and supplemental information
- Tedeschi's Store, 779-783 Centre Street, Jamaica Plain (C12-082 & V16-128) - variance application and supplemental information
- Newton Fire Station #3, Fire Headquarters, 1164 Centre St/31 Willow St, Newton (V16-127) - variance application and supplemental information; April 26, 2016 submittal of additional variance application, with an affidavit regarding not open to the public
- First Floor Commercial Condo, 250 West St., Boston (V16-132) - variance application and supplemental information

- Crawford Square, 123-137 North Street, Pittsfield (V16-134) - variance application and supplemental information; e-mail from Gerald Garner, Building Commissioner, on May 5, 2016 noting that all other aspects of the tenant space will comply per plan review; May 9, 2016 e-mail from June Hailer, Pittsfield Commission on Disability, still hesitant to support the variance; May 5, 2016 email from Wayne Thomas from the Plumbing Board, noting that common area toilet rooms do not require someone to go outside of the building and the common area bathrooms are available at all times that the wine bar is open
- Gate House at the Visitor Center, 2 Moscow Road, West Stockbridge (V16-130) - variance application and supplemental information
- Dawes House, Smith College, 8 Bedford Terrace, Northampton (V16-138) - variance application and supplemental information
- Forbes House Museum, 215 Adams Street, Milton (V16-126) - variance application and supplemental information
- 9 Chandler Street, Newton (V16-125) - variance application and supplemental information
- The North Star Building, 587, 585, and 581 High St, 366, 368 and 370 Washington Street, Dedham (V16-136) - variance application and supplemental information
- Taunton Town Buildings Advisory - Kevin Scanlon, April 11, 2016 letter
- Queset House, Ames Free Library, 51 Main St., North Easton (V13-111) - James Thomas, Architect, submittal of amendment for stairs in Queset Garden, received April 25, 2016
- Liberty Tree Park, 2 Boylston St., Boston (V16-008) - Tamar Zimmerman submitted amendment request regarding handrail location, received on May 2, 2016
- Beacon Hill Curb Cut project – March 13, 2016 Environmental Notification Form submitted by Roger Alcott, P.E. of Weston & Sampson, Inc., on behalf of the City of Boston to Executive Office of Energy and Environmental Affairs (EEA); Supplemental Information submitted to the EEA by Katie Choe, CCM, LEED GA Chief Engineer/Director of Construction Management for the Boston Public Works Department, dated April 4, 2016; April 26, 2016 submittal to EEA from City of Boston Law Department
- Brindle Hall, Endicott College, 410 Hale Street, Beverly - submittal of letter from Jennifer Hawkerman, received on May 2, 2016
- Ames Schoolhouse, 450 Washington St., Dedham (V15-240) - Stephen Lapin letter received on April 20, 2016, regarding Notice of Action conditions
- Offices and Laboratories, 40 Erie Street, Cambridge (V16-011) - April 26, 2016 submittal from Salvator Xenox, affidavit regarding employee-use only areas
- Mercantile Retail Building, 85 Main Street, Gloucester (V16-015) - submittal of drawing for van accessible space, submitted by Dan Goddenow on April 27, 2016
- Community Christian School, 39 South Broad St., Westfield (V10-101) - May 3, 2016 submittal from Tim Sharenko, seeking an extension of the time variance for another two years for the lack of access to the upper floors
- DeLuca's Market, 7-17 Charles Street, Boston (V11-232) - March 29, 2016 letter from Caroline Aiello, signed by Virgil Aiello